

COPY OF
FEDERAL MARITIME COMMISSION
AGREEMENT NO. 7345-13

CALIFORNIA ASSOCIATION OF PORT AUTHORITIES

FEDERAL MARITIME COMMISSION

AGREEMENT NO. 7345, AS AMENDED

APPROVED FEBRUARY 6, 1941

(Amended to _____)

PARTIES TO THE AGREEMENT

Non-Operating Members

San Francisco Port Commission
Port of Los Angeles
Port of Long Beach
Port of Oakland
Encinal Terminals

Operating Members

Howard Terminal
Oxnard Harbor District
(Port of Hueneme)
Port of Stockton
Sacramento-Yolo Port District
(Port of Sacramento)

Issued _____

*ARTICLE 3 - TARIFF CHANGES

(a) The members agree that no change shall be made in the rates, charges, classifications, rules, regulations or practices in any of their tariffs without first obtaining unanimous approval of all of the members of either the Committee on Tariffs and Practices or the Traffic Committee of Operating Members, whichever Committee has jurisdiction of such proposed change as provided in Article 17 hereof; provided, however, that, in the event any proposed change fails to receive such unanimous approval, any member may take independent action with regard thereto in the manner hereinafter in paragraph (b) of this Article provided.

(*Article 3 - Tariff Changes, continued)

(c) Proposed tariff changes for services peculiar to and performed only by Operating Members which have failed of unanimous approval by the Traffic Committee of Operating Members may be made by independent action upon the giving of not less than ten (10) days' prior written notice to the President, the Executive Secretary and each Operating Member of the Association, during which period the Operating Members of the Association shall be afforded an opportunity to consult with each other and to make recommendations. Upon the giving of not less than five (5) days' prior written notice to the President, the Executive Secretary and each Operating Member of the Association, any other Operating Member may make such changes in the rates, charges, classifications, rules, regulations and practices for services peculiar to and performed only by Operating Members as such Operating Member may desire. Any recommendation made by any Operating Member shall be purely advisory and shall not be binding upon any Operating Member.

(*Article 3 - Tariff Changes, continued)

(d) Amendments, supplements or reissues of the tariff of any member shall be promptly furnished to the Association and to all other members.

CALIFORNIA ASSOCIATION OF PORT AUTHORITIES

Proposed Amendment to Article 3 Sub-Section B

- (b) Proposed tariff changes which have failed of unanimous approval by the Committee on Tariffs and Practices may be made by the membership acting unanimously at any regular or special meeting or may be made by independent action upon the giving of not less than ten (10) days prior written notice to the President, the Executive Secretary, and each member of the Association, during which period members of the Association shall be afforded an opportunity to consult with each other and to make recommendations. Upon the giving of not less than five (5) days prior written notice to the President, the Executive Secretary and each member of the Association, any other member may make such changes with regard thereto in its own rates, charges, classifications, rules, regulations and practices as such member may desire. Any recommendation made by any member shall be purely advisory and shall not be binding upon any member.

Note: The underlined wording represents an addition to this article as adopted by members of the California Association of Port Authorities.